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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**IN RE: MIDLAND CREDIT
MANAGEMENT, INC.,
TELEPHONE CONSUMER
PROTECTION ACT LITIGATION**

Case No. 11-md-2286-MMA (MDD)
Member cases: 10-cv-02261
10-cv-02600
10-cv-02368
10-cv-02370

**CLASS ACTION
PLAINTIFFS' NOTICE OF
MOTION AND UNOPPOSED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT AND
CERTIFICATION OF
SETTLEMENT CLASS**

Date: December 8, 2015
Time: 2:00 p.m.
Courtroom: 3A
Judge Michael M. Anello

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on December 8, 2015, at 2:00 p.m., or as soon
3 thereafter as the matter may be heard before the Honorable Michael M. Anello,
4 U. S. District Judge for the Southern District of California, Plaintiffs Christopher
5 Robinson, Eduardo Tovar , and Dave Scardina (hereinafter referred to as
6 “Plaintiffs”) will move and hereby do move, for: (i) conditional certification of
7 Plaintiffs as class representatives, (ii) conditional certification of Plaintiffs’
8 attorneys as class counsel, (iii) preliminary approval of Class Action Settlement
9 Agreement pursuant to Rule 23 of the Federal Rules of Civil Procedure, (iv)
10 approval of the manner and form of giving of the Class Notice; and (v)
11 establishment of a time table for providing notice to the class, lodging objections to
12 the terms of the settlement, and holding a hearing regarding final approval of the
13 settlement.

14 This motion is made on the grounds that: (i) the settlement is in the best
15 interests of the Class Members and the terms of the settlement are within the range
16 of approval; (ii) the proposed manner and form of giving notice of the settlement to
17 Class Members, given the practical constraints of this litigation, would fairly
18 apprise Class Members of the terms of the settlement; and (iii) the proposed
19 timetable for publishing the class notice, lodging objections to the terms of the
20 settlement, and holding a hearing regarding final approval of the settlement is
21 appropriate.

22 This motion is based on this Notice of Motion and Unopposed Motion, the
23 Memorandum of Points and Authorities, the supporting declarations and
24 attachments thereto (including the Settlement Agreement and Release and proposed
25 forms of Class Notice), and the complete files and records in this action.
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LAW OFFICES OF DOUGLAS J. CAMPION,
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Dated: November 6, 2015

/s/ Douglas J. Campion

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EDELMAN COMBS LATTURNER &
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Dated: November 6, 2015

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